

TRI TA
Mayor

SERGIO CONTRERAS
Mayor Pro Tem

DIANA LEE CAREY
Council Member

TYLER DIEP
Council Member

MARGIE L. RICE
Council Member



AGENDA

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
WESTMINSTER REDEVELOPMENT AGENCY**

REGULAR MEETING

June 22, 2016

6:30 p.m. Council Conference Room

**7:00 p.m. Council Chambers
8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

NOTE: Any writings or documents provided to a majority of the City Council regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminster, CA during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

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AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. While in the City Council Chamber, please turn off all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. The agenda and supporting documentation is available for public review at the entryway of the Council Chambers prior to the meeting. On the Friday prior to the meeting, the agenda can be accessed on the City's web site at <http://www.westminster-ca.gov>. Live video streaming of regular meetings and an archive of agendas and minutes is also available on the City's website.

ATTENDANCE AND PARTICIPATION BY THE PUBLIC

Except as specifically provided by law for closed sessions, all meetings of the City Council Agency shall be open and public. Agendas for the City Council Agency meetings provide the public an opportunity to directly address the City Council Board on items of interest to the public that are within the subject matter jurisdiction of the City Council on any agenda items. NO action may be taken on items not listed on the agenda unless authorized by law. Unless otherwise extended by the City Council, the amount of time for each individual speaker shall not exceed five (5) minutes.

WEBSITE/TELEVISED MEETING SCHEDULE

Regular City Council meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday at 5:00 p.m., Wednesday at 7:00 p.m., Friday at 7:00 a.m. and Sunday at 8:30 a.m. The City's website (www.westminster-ca.gov) provides information about viewing live and archived City Council meetings. If you have internet access, you can follow the meeting live with a video stream on your computer. You will also have access to an archive of recent City Council meeting agendas, videos and minutes.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review by staff to verify appropriateness for general audiences by noon on the day of the meeting and prior to the use of the equipment.

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6:30 P.M.
CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL PRIOR TO ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL: TA, CONTRERAS, CAREY, DIEP, RICE

CLOSED SESSION:

The City Council will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9 (d) (2): Anticipated Litigation: (one case).
- 2) Conference with Legal Counsel pursuant to Government Code Section 54956.9 (a): Existing Litigation: (one case) Case no. SACV11-00278 (Jose Flores, et al v City of Westminster, et al).

RECESS:

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The City Council of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council Agenda items. The Westminster Housing Authority and the Westminster Public Finance Authority are also agencies on which council serves as members. These Agencies may also have items scheduled.

RECONVENE CITY COUNCIL MEETING:

ROLL CALL: TA, CONTRERAS, CAREY, DIEP, RICE

SALUTE TO FLAG: Mayor Ta

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a)(3)(b)).

REPORT FROM CITY CLERK:

- 1. SPECIAL PRESENTATIONS - None.**
- 2. ORAL COMMUNICATIONS**

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL REGARDING ANY ITEMS ON THE AGENDA OR NON-AGENDA ITEMS THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION, EXCEPT PUBLIC HEARING ITEMS. MEMBERS OF THE PUBLIC WISHING TO ADDRESS PUBLIC HEARING ITEMS SHALL DO SO AT THE TIME OF THE PUBLIC HEARING. UNLESS OTHERWISE EXTENDED BY A MAJORITY VOTE OF THE CITY COUNCIL, COMMENTS SHALL BE LIMITED TO FIVE (5) MINUTES PER SPEAKER.

ANY PERSON WISHING TO ADDRESS THE CITY COUNCIL SHOULD COMPLETE A GREEN SPEAKER SLIP THAT IS PROVIDED AT THE ENTRANCE TO THE COUNCIL CHAMBERS AND SUBMIT THE CARD TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

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3. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND MAY BE APPROVED BY A SINGLE MOTION FOLLOWED BY A ROLL CALL VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL OR STAFF REQUEST THAT SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION

APPROVAL OF MINUTES

- 3.1 (City Council/Successor Agency/Housing Authority) Minutes of a Regular Meeting of the Westminster City Council/Successor Agency to the Westminster Redevelopment Agency/Westminster Housing Authority on May 25, 2016. (Amanda Jensen)**

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 3.2 Notice of Completion for the City-Wide Street Overlay Improvement Project at Various Locations, Project No. City-Wide Overlay 15-16. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

- 3.3 Tree Maintenance/Service Agreement FY 16/17. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council reject all bids and authorize staff to rebid the subject contract.

- 3.4 Agreement with the Orange County Flood Control District for Access to Areas under Newland Street at Edinger and McFadden Avenue. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Approve the subject agreement and authorize the City Manager to execute on behalf of the City; and
- B) Authorize the City Clerk to record the subject agreement with the County Recorder's Office.

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3.5 Final Seven-Year Capital Improvement Program (CIP) for the Measure M2 and Congestion Management Programs for Fiscal Year 2016/2017. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Final Seven-Year Capital Improvement Program for the Renewed Measure M (M2), and authorize its submittal to the Orange County Transportation Authority (OCTA).

ADMINISTRATIVE ITEMS

3.6 Special Event Permit Application the American Cancer Society to hold the annual Westminster Relay for Life event in the Civic Center Sunken Gardens. The event will take place on Saturday, August 6, 2016. (Diana Dobbert)

RECOMMENDATION: Staff recommends that the Mayor and City Council: approve the Special Event Permit application subject to the conditions attached to the staff report.

WARRANT REGISTER

3.7 (City Council/Successor Agency) Warrant Register dated June 2, 2016 through June 14, 2016. (Sherry Johnson)

RECOMMENDATION: Approve.

REPORTS

3.8 Treasurer's Report - May 2016. (Erin Backs)

RECOMMENDATION: Approve.

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS - None.

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5. REGULAR BUSINESS

5.1 Resolution Approving the Successor Agency's 2016 Tax Allocation Refunding Bonds Official Statement, Form of Bond Purchase Agreement and Continuing Disclosure Certificate for the Refunding of Westminster Redevelopment Agency's \$73,055,000 Westminster Redevelopment Agency's Commercial Project No. 1 2009 Subordinate Tax Allocation Bonds (Police Facility). (Chet Simmons)

RECOMMENDATION: Staff recommends that the Chair and Agency Members: approve a Resolution entitled "A Resolution of the Successor Agency to the Westminster Redevelopment Agency Confirming the Issuance of Tax Allocation Refunding Bonds Pursuant to an Indenture of Trust, Approving Preliminary and Final Official Statements, Bond Purchase Agreement and Continuing Disclosure Certificate and Providing for Other Matters Relating Thereto.

5.2 Approval of Memorandum of Understanding for the 2016 Edward Byrne Justice Assistance Grant (JAG) in Fiscal Year 2016-17. (Dan Schoonmaker)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- A) Approve the Memorandum of Understanding for the 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and authorize the City Manager to execute the MOU; and
- B) Approve a revenue estimate of \$18,475 to the 2016 Justice Assistance Grant (JAG) Program, Grant Revenue Account for the Fiscal Year 2016-17 budget; and
- C) Approve an appropriation of \$18,475 to the 2016 Justice Assistance Grant (JAG) Program Grant expenditures budget for the Fiscal Year 2016-17 for purchase of safety equipment.

5.3 Budget and Appropriation of funds for Fiscal Year 2016-17. (Eddie Manfro)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Members:

- A) Approve a Resolution entitled, "A resolution of the Mayor and City Council of the City of Westminster adopting and appropriating the Budget for fiscal year 2016-17"; and
- B) Approve a Resolution entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing the Article XIIIB Appropriation limit for the 2016-17 Fiscal Year"; and

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- C) Approve a Resolution entitled, "A Resolution of the Westminster Public Financing Authority adopting and appropriating the Budget for fiscal year 2016-17"; and
- D) Approve a Resolution entitled, "A Resolution of the Successor Agency to the Westminster Redevelopment Agency adopting and appropriating the Budget for fiscal year 2016-17"; and
- E) Approve a Resolution entitled, "A Resolution of the Westminster Housing Authority adopting and appropriating the Budget for fiscal year 2016-17."

5.4 Feasibility and Implementation Analysis of the Financial Task Force's Recommendations. (Eddie Manfro)

RECOMMENDATION: That Council receive and file staff's review of the feasibility and implementation analysis of the Financial Task's recommendations and provide staff with any further direction regarding those that the Council wishes to implement.

6. LEGISLATIVE ITEMS - None.

7. COMMISSION AND COMMITTEE ITEMS - None.

8. BUSINESS MATTERS FROM CITY COUNCIL/AGENCY MEMBERS

8.1 Placement of a One Percent (1%) Transactions and Use Measure on the November 8, 2016 General Election Ballot. (Margie L. Rice)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt a Resolution entitled, "A Resolution of the Mayor and City Council of the City of Westminster calling for the placement of a Measure on the Ballot of the November 8, 2016 Election to adopt a Transactions and Use Tax, Requesting that the Orange County Board of Supervisors Consolidate this Election with the Statewide General Election to be held on November 8, 2016, and providing for the filing of rebuttal arguments regarding this same tax measure".

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8.2 \$3 Million General Fund Reduction Scenario (Tyler Diep)

RECOMMENDATION: Council Member Diep recommends that the Mayor and City Council direct the City Manager to enact \$3 million in General Fund Cuts.

9. COMMENTS FROM CITY COUNCIL/AGENCY MEMBERS (Including AB 1234 Report when required)

10. COUNCIL ADJOURNMENT: To a Regular Meeting on Wednesday, July 27, 2016 at 7:00 p.m. in the Council Chambers.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

A handwritten signature in black ink, reading "Amanda Jensen", written over a horizontal line.

Amanda Jensen, CMC, City Clerk